

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE

In re: Barzelay, Ifar § Case No. 3:11-03334
§
Barzelay, Eef §
Debtor(s) §

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED
AND APPLICATION TO BE DISCHARGED (TDR)**

DAVID G. ROGERS, chapter 7 trustee, submits this Final Account,
Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$303,665.00</u>	Assets Exempt: <u>\$29,665.00</u>
<i>(without deducting any secured claims)</i>	

Total Distribution to Claimants: <u>\$2,509.55</u>	Claims Discharged Without Payment: <u>\$23,532.34</u>
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Total Expenses of Administration: \$1,971.52

3) Total gross receipts of \$ 4,481.07 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$4,481.07 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$333,203.70	\$77,080.90	\$0.00	\$0.00
PRIORITY CLAIMS:				
CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	0.00	1,971.52	1,971.52	1,971.52
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	0.00	0.00	0.00	0.00
GENERAL UNSECURED CLAIMS (from Exhibit 7)	25,877.86	2,526.03	2,526.03	2,509.55
TOTAL DISBURSEMENTS	\$359,081.56	\$81,578.45	\$4,497.55	\$4,481.07

4) This case was originally filed under Chapter 7 on March 31, 2011.
The case was pending for 24 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 03/19/2013 By: /s/DAVID G. ROGERS
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 —GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
Royalties	1223-000	4,481.07
TOTAL GROSS RECEIPTS		\$4,481.07

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 —FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		
TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES			\$0.00

EXHIBIT 3 —SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
1	American General Financial Services, Inc.	4210-000	N/A	967.74	0.00	0.00
2	American General Financial Services, Inc.	4210-000	N/A	4,967.35	0.00	0.00
3	SunTrust Bank	4110-000	70,819.33	71,145.81	0.00	0.00
NOTFILED	SunTrust Mortgage c/o Nationwide Trustee Services	4110-000	262,384.37	N/A	N/A	0.00
TOTAL SECURED CLAIMS			\$333,203.70	\$77,080.90	\$0.00	\$0.00

EXHIBIT 4 —CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
DAVID G. ROGERS	2100-000	N/A	1,120.27	1,120.27	1,120.27
DAVID G. ROGERS	2200-000	N/A	26.25	26.25	26.25

DAVID G. ROGERS	3110-000	N/A	625.00	625.00	625.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
The Bank of New York Mellon	2600-000	N/A	25.00	25.00	25.00
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		N/A	\$1,971.52	\$1,971.52	\$1,971.52

EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	None				
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		N/A	\$0.00	\$0.00	\$0.00

EXHIBIT 6 –PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
		None				
TOTAL PRIORITY UNSECURED CLAIMS			\$0.00	\$0.00	\$0.00	\$0.00

EXHIBIT 7 –GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
4	American Express Bank FSB	7100-000	2,362.00	2,526.03	2,526.03	2,509.55
NOTFILED	USAA Credit Card Services	7100-000	4,673.00	N/A	N/A	0.00
NOTFILED	Vanderbilt Medical Group	7100-000	878.63	N/A	N/A	0.00
NOTFILED	Vanderbilt Hospital c/o Affiliated Creditors	7100-000	3,461.20	N/A	N/A	0.00
NOTFILED	SunTrust Bank	7100-000	5,562.00	N/A	N/A	0.00

NOTFILED	Infusion Partners	7100-000	375.00	N/A	N/A	0.00
NOTFILED	Bienstock & Michael PC	7100-000	816.03	N/A	N/A	0.00
NOTFILED	Murray Richman	7100-000	750.00	N/A	N/A	0.00
NOTFILED	Spring Hill Finance	7100-000	7,000.00	N/A	N/A	0.00
TOTAL GENERAL UNSECURED CLAIMS			\$25,877.86	\$2,526.03	\$2,526.03	\$2,509.55

Form 1
Individual Estate Property Record and Report
Asset Cases

Case Number: 3:11-bk-03334

Case Name: Barzelay, Ifar

Period Ending: 03/19/13

Trustee: (620060) DAVID G. ROGERS

Filed (f) or Converted (c): 03/31/11 (f)

§341(a) Meeting Date: 05/04/11

Claims Bar Date: 03/27/12

1 Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property <u>Abandoned</u> OA=§554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	4604 Elkins Ave	299,000.00	0.00	0.00	FA
2	Cash	20.00	0.00	0.00	FA
3	SunTrust	1,500.00	0.00	0.00	FA
4	Household Goods	1,745.00	0.00	0.00	FA
5	Books, Records, Tapes & CDs	250.00	0.00	0.00	FA
6	Clothing	300.00	0.00	0.00	FA
7	Musical Instruments	600.00	0.00	0.00	FA
8	90% of Snideco Inc.	0.00	0.00	0.00	FA
9	2010 tax refund	250.00	0.00	0.00	FA
10	Royalties (u)	0.00	3,500.00	4,481.07	FA
10	Assets Totals (Excluding unknown values)	\$303,665.00	\$3,500.00	\$4,481.07	\$0.00

Major Activities Affecting Case Closing:

NOTES FROM MEETING OF CREDITORS

Tax Returns from Company (received)

information on Royalties (received)

ASSET ADMINISTRATION and STATUS UPDATES

Sent By: Maria Salas On: May 05/19/11 9:23 AM

We have a copy of the corporate 2009 tax return in our file. I have written our client requesting a copy of the 2010 corporate return and the royalty information.

08/26/11 emailed Maria regarding Royalties

RESPONSE: I previously provided his ASCAP statement which was up to date thru May, and totaled \$5,400.51. We have a call in to him to see if he has received a statement since then. I will get that information to you when I receive it.

From: Maria Salas Sent: Friday, October 21, 2011 9:43 AM

His non-tools of the trade assets scheduled total \$3,765. Not allowing for any cost of sale, he would have \$6,235 available in general personal property exemption.

The post-petition royalty payments thru August 2011 total \$4,630.35. I assume all of those royalties are from pre-petition work, but will confirm that with my client.

Assuming that is the case, he would have \$1,604.65 available in general personal property exemption. He can retain royalties received after August, 2011 from pre-petition work up to that amount and shall remit to you royalties from pre-petition work in excess of that amount. I will advise him to remit the funds directly to you along with royalty statements to identify what is from pre- versus post-petition work

11/3/11 email from Hedy to David

Form 1
Individual Estate Property Record and Report
Asset Cases

Case Number: 3:11-03334

Trustee: (620060) DAVID G. ROGERS

Case Name: Barzelay, Ifar

Filed (f) or Converted (c): 03/31/11 (f)

Period Ending: 03/19/13

§341(a) Meeting Date: 05/04/11

Claims Bar Date: 03/27/12

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 <u>Property Abandoned</u> OA=§554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets

Okay, I have figured out her numbers. She is saying that the Music Equipment valued at \$600 are tools of the trade but that is not how she took the exemption. She had taken it as a standard 26-2-103 exemption. That is why I get \$4365 as an exemption and she has \$3765. If we accept her \$3765 number, then he would still be entitled to receive \$6235. Of this, he has already received \$4630. Therefore, he can keep the next \$1605 and we get whatever else is coming. IE: her numbers are correct.

Initial Projected Date Of Final Report (TFR): December 31, 2012

Current Projected Date Of Final Report (TFR): December 20, 2012 (Actual)

Form 2

Cash Receipts And Disbursements Record

Case Number: 3:11-03334

Case Name: Barzelay, Ifar

Taxpayer ID #: **-**9988

Period Ending: 03/19/13

Trustee: DAVID G. ROGERS (620060)

Bank Name: The Bank of New York Mellon

Account: 9200-*****73-65 - Checking Account

Blanket Bond: \$8,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 T-Code	6 Receipts \$	7 Disbursements \$	Checking Account Balance
03/16/12	{10}	ASCAP	ROYALTIES	1223-000	1,338.07		1,338.07
03/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	1,313.07
04/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	1,288.07
05/21/12	{10}	SNIDECO	ROYALTIES	1223-000	156.02		1,444.09
05/21/12	{10}	ASCAP	ROYALTIES	1223-000	636.84		2,080.93
05/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	2,055.93
06/29/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	2,030.93
07/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	2,005.93
08/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	1,980.93
09/11/12	{10}	ASCAP	ROYALTIES	1223-000	628.54		2,609.47
09/28/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	2,584.47
10/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	2,559.47
11/28/12	{10}	ASCAP	ROYALTIES	1223-000	1,721.60		4,281.07
12/24/12	1001	DAVID G. ROGERS	Order Awarding Compensation Dated 12/21/12	3110-000		625.00	3,656.07
01/10/13		RABOBANK MIGRATION TRANSFER OUT	TRANSFER TO 0001062006088 20130110	9999-000		3,656.07	0.00
ACCOUNT TOTALS					4,481.07	4,481.07	\$0.00
Less: Bank Transfers					0.00	3,656.07	
Subtotal					4,481.07	825.00	
Less: Payments to Debtors						0.00	
NET Receipts / Disbursements					\$4,481.07	\$825.00	

Form 2

Cash Receipts And Disbursements Record

Page: 2

Case Number: 3:11-03334

Trustee: DAVID G. ROGERS (620060)

Case Name: Barzelay, Ifar

Bank Name: Rabobank, N.A.

Taxpayer ID #: **-**9988

Account: ****801365 - Checking Account

Period Ending: 03/19/13

Blanket Bond: \$8,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 T-Code	6 Receipts \$	7 Disbursements \$	Checking Account Balance
01/11/13		RABOBANK MIGRATION TRANSFER IN	RABOBANK MIGRATION	9999-000	3,656.07		3,656.07
03/12/13	11002	DAVID G. ROGERS	Dividend paid 100.00% on \$1,120.27, Trustee Compensation; Reference:	2100-000		1,120.27	2,535.80
03/12/13	11003	DAVID G. ROGERS	Dividend paid 100.00% on \$26.25, Trustee Expenses; Reference:	2200-000		26.25	2,509.55
03/12/13	11004	American Express Bank FSB	Dividend paid 99.34% on \$2,526.03; Claim# 4; Filed: \$2,526.03; Reference: PER ORDER AWARDING TRUSTEE COMPENSATION AND EXPENSES DATED 02/26/13	7100-000		2,509.55	0.00

ACCOUNT TOTALS	3,656.07	3,656.07	\$0.00
Less: Bank Transfers	3,656.07	0.00	
Subtotal	0.00	3,656.07	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$0.00	\$3,656.07	

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
Checking # 9200-*****73-65	4,481.07	825.00	0.00
Checking # ***801365	0.00	3,656.07	0.00
	\$4,481.07	\$4,481.07	\$0.00